

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.W.P. No.2678 of 2005
Date of Decision:13.3.2007**

Tota Singh

.....Petitioner

Vs.

Punjab State Electricity Board, The Mall, Patiala and others

.....Respondents

**CORAM:- HON'BLE MR. JUSTICE M.M.KUMAR
HON'BLE MR. JUSTICE RAJESH BINDAL**

Present:- Mr. V.K.Shukla, Advocate for the petitioner.

Mr. Parminder Singh, Advocate for the respondents.

M.M.KUMAR, J.

The petitioner, who has been working as a Junior Engineer with the respondent- Punjab State Electricity Board (for short, 'the Board') was charge-sheeted on 6.9.1993. The allegation against the petitioner was that 18 unauthorized tubewell connections were found running by the Executive Engineer, Flying Squad, Bathinda, Moga and Muktsar on 16.6.1993 in the area under the petitioner. Out of these, 10 connections were found running by connecting direct wires by the consumers and 8 connections by misusing the material of the Board. The petitioner was asked to submit his reply to the charge-sheet which he did. After considering his reply, the Board passed an order on 31.10.1996 inflicting upon him punishment of stoppage of four increments without cumulative effect which admittedly is a minor punishment within the meaning of Regulation 5(iv) of the Punjab State Electricity Board Employees (Punishment & Appeal) Regulation 1971. It was further directed that his suspension period was to be treated as non-duty period. The afore-mentioned order was upheld by the appellate authority vide order dated 20.5.2004.

After hearing learned counsel and considering the submissions made by him, we are of the firm opinion that the order inflicting minor punishment of stoppage of four increments without cumulative effect dated 31.10.1996 (Annexure P.2) does not suffer from any legal infirmity

warranting interference of this Court. There are sufficient reasons given in the order. It has been observed by the Chief-Engineer-in-Chief/Operation about the conduct of the petitioner and his inability to stop theft of energy was found to be unsatisfactory. The petitioner was held responsible for dereliction of duty. Accordingly, minor punishment was considered adequate and four increments without cumulative effect were ordered to be stopped by treating the period of suspension as non-duty under Rule 7.3(3) and (5) of the M.S.R Vol.1. There is nothing in the order which can be described as cryptic or non-speaking. Therefore, there is no merit in the petition.

Dismissed.

(M.M.KUMAR)
JUDGE

March 13, 2007
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(RAJESH BINDAL)
JUDGE